

Message Text

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ACTION IO-14

INFO OCT-01 ISO-00 SSO-00 AF-10 ARA-10 EA-10 EUR-12
NEA-10 ACDA-12 CIAE-00 DODE-00 NSAE-00 NSCE-00
USIE-00 INRE-00 PM-05 H-01 INR-10 L-03 PA-01
SP-02 SS-15 /116 W
-----008624 280226Z /66

O 280120Z MAR 78
FM USMISSION USUN NEW YORK
TO SECSTATE WASHDC IMMEDIATE 0309

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E.O. 11652: GDS
TAGS: PORG, UNSC, SF
SUBJECT: PROCEDURAL "GUIDELINES" FOR SOUTH AFRICA ARMS
EMBARGO COMMITTEE

REF: USUN 01063

1. CHAIRMAN OF NEW SOUTH AFRICA ARMS EMBARGO COMMITTEE (BISHARA-KUWAIT) CALLED MISOFF MARCH 28, TO SAY HE HAD "FINISHED GUIDELINES" FOR COMMITTEE'S PROCEDURES. BISHARA DESCRIBED GUIDELINES (PARA FOUR BELOW) AS REPRESENTING "GENERAL VIEWS" OF ALL SC MEMBERS HE HAS CONSULTED OVER LAST SEVERAL WEEKS. BISHARA EMPHASIZED HIS CONCERN THAT COMMITTEE MUST HAVE "TEETH" AND NOT REMAIN "WINDOW DRESSING". BISHARA GUIDELINES DO GO A LONG WAY TOWARD MEETING CONCERNS OF FIVE, BUT THEY STOP SHORT OF FLAT ENDORSEMENT OF OUR POINTS OF VIEW. MISSION BELIEVES THAT WE CAN WORK WITH BISHARA GUIDELINES IF THEY ARE SUITABLY AMMENDED AT FIRST SUBSTANTIVE MEETING OF COMMITTEE SCHEDULED FOR MARCH 29 AT 3:30 PM.

2. MISSION BELIEVES US REP AT MARCH 29 MEETING SHOULD ARGUE FOR FOLLOWING:

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A) GENERAL: BISHARA "GUIDELINES" ARE "DRAFT GUIDELINES" UNTIL APPROVED BY COMMITTEE;
B) PRESS CONFERENCES: CHAIRMAN MUST SEEK COMMITTEE APPROVAL FOR ANY PRESS CONFERENCES;
C) CONSENSUS PROCEDURES: COMMITTEE MUST OPERATE BY CONSENSUS. IF BY "OTHER MEANS", BISHARA MEANS NORMAL CONSULTATIVE ACTIVITY BY CHAIRMAN

IN ATTEMPT TO BREAK AN IMPASSE, THEN US CAN AGREE (BISHARA TOLD MISOFF THAT THIS WAS IN FACT WHAT HE MEANT BY "OTHER MEANS" AND "ANY DEVICE"). GUIDELINES SHOULD SPELL OUT THIS LIMITED FORMULATION, LEAVING NO DOUBT THAT "CONSENSUS PROCEDURES" MEANS EXACTLY THAT;

D) PUBLIC MEETINGS: ANY PUBLIC MEETINGS SHOULD BE HELD ONLY UPON AGREEMENT OF ALL MEMBERS;

E) PARTICIPATION BY NON-SC MEMBERS: "PARTICIPATION" SHOULD BE LIMITED TO MAKING STATEMENTS BEFORE THE COMMITTEE AND SHOULD NOT MEAN PARTICIPATION IN THE COMMITTEE'S DELIBERATIONS.

3. WESTERN FIVE WILL CONSULT ON BISHARA GUIDELINES MARCH 29 AT 11:30 AM. MISSION RECOMMENDS THAT US, AT THAT MEETING, SUGGEST THAT FIVE PARTICIPATE IN ARMS EMBARGO COMMITTEE MEETING MARCH 29 AND CONCERT AN APPROACH TIGHTENING GUIDELINES ALONG LINES SUGGESTED PARA 2 ABOVE.

4. FOLLOWING IS TEXT OF BISHARA GUIDELINES:

GUIDELINES FOR THE WORK OF THE COMMITTEE ON ARMS EMBARGO AGAINST SOUTH AFRICA

- THE ESTABLISHMENT OF THE COMMITTEE IS A MEANS TO AN END
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AND NOT AN END BY ITSELF.

- THE MANDATE OF THE COMMITTEE IS TO WATCH ANY BUSTING OF THE EMBARGO AND REPORT THEREON.

- THE SUCCESS OF THE WORK OF THE COMMITTEE DEPENDS ON THE COOPERATION OF ALL MEMBER STATES, ESPECIALLY THE PERMANENT MEMBERS OF THE SECURITY COUNCIL. IT IS THEREFORE IMPERATIVE TO SECURE THIS COOPERATION.

- THE CHAIRMAN AS WELL AS THE MEMBERS ARE ANXIOUS TO SEE THE COMMITTEE WORK EFFECTIVELY.

- IT IS THE INTENTION OF THE CHAIRMAN TO HOLD PRESS CONFERENCES IF NECESSARY, IN ORDER TO MAKE THE WORK OF THE COMMITTEE KNOWN TO THE PRESS. IT IS THE UNDERSTANDING OF THE CHAIRMAN THAT THE COMMITTEE IS NOT AN UNDERGROUND SUBSIDIARY OF THE SECURITY COUNCIL.

- THE DECISIONS OF THE COMMITTEE WILL BE REACHED PREFERABLY BY CONSENSUS. BUT CONSENSUS DOES NOT MEAN THAT ANY MEMBER CAN CRIPPLE THE WORK OF THE COMMITTEE.

- IF A CONSENSUS IS NOT REACHED ON A PARTICULAR ISSUE, OTHER MEANS SHOULD BE ENVISIONED. IN OTHER WORDS, THE CHAIRMAN WILL NOT RULE OUT ANY DEVICE TO MAKE THE COMMITTEE FUNCTION PROPERLY AND EFFECTIVELY.

- THE COMMITTEE WILL HOLD ITS MEETING IN PRIVATE SESSIONS, BUT HERE ALSO, PUBLIC MEETINGS CANNOT BE RULED OUT AS AND WHEN NECESSARY FOR THE ENHANCEMENT OF THE EFFECTIVENESS OF THE COMMITTEE.

- IT IS ALSO THE UNDERSTANDING OF THE CHAIRMAN THAT NON-MEMBERS OF THE COUNCIL COULD BE INVITED TO PARTICIPATE IN

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THE WORK OF THE COMMITTEE ON AD HOC BASIS IF THAT IS NECESSARY AND USEFUL TO THE PROGRESS OF ITS WORK.

- THE COMMITTEE SHOULD BE FLEXIBLE IN ITS APPROACH AND ITS WORK TO FULFILL ITS MANDATE.

- IT IS AN UNQUESTIONABLE FACT THAT THE PRIMARY SOURCES OF INFORMATION ARE THE PERMANENT MEMBERS OF THE SECURITY COUNCIL WHICH POSSESS THE MEANS TO FURNISH THE COMMITTEE WITH THE NECESSARY INFORMATION.

- IT IS THEREFORE IMPERATIVE TO OBTAIN THE WILLINGNESS AND THE COOPERATION OF THESE PERMANENT MEMBERS.

- THESE ARE THE GENERAL GUIDELINES FOR THE WORK OF THE COMMITTEE. BUT THE MOST IMPORTANT ELEMENT IS FLEXIBILITY AND THE COOPERATION OF ALL MEMBERS. ANTAGONIZATION WILL HURT THE WORK OF THE COMMITTEE. SO WILL ALIENATION.

THEREFORE, IT IS THE SPIRIT OF COOPERATION WHICH THE
COMMITTEE WILL LOOK FOR. IN ITS ABSENCE THE COMMITTEE
WILL BE REDUCED TO A WINDOW-DRESSING, A GRIM PROSPECT
NEITHER THE CHAIRMAN NOR THE MEMBERS CAN TOLERATE.

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